

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
July 18, 2013 & July 19, 2013

A meeting of the Board of Examiners of Psychology was held on July 18, 2013 and July 19, 2013 at the Natural Bridge State Resort Park in Slade, KY.

MEMBERS PRESENT

Eva R. Markham, Ed.D. Chair
Owen Nichols, Psy.D. Vice-Chair
William G. Elder, Ph.D.
Sally Brenzel, Psy.D.
Melissa Hall, M.S.
Stanley Bittman, Ph.D.
Thomas W. Miller, Ph.D.
Kathy Susman, M.A.

OCCUPATIONS AND PROFESSIONS STAFF

Robin Vick, Board Administrator
Matthew Osborne, Executive Director

MEMBERS ABSENT

Paula Glasford

OTHERS PRESENT

Brian Judy, Assistant Attorney General

A meeting of the Kentucky Board of Examiners of Psychology, Complaint Committee, was called to order at 10:00 a.m., Thursday, July 18, 2013 at the Natural Bridge State Resort Park in Slade, KY.

A motion was made by Dr. Brenzel to go into closed session for the Complaint Screening Committee per KRS 61.810 (1)(c) and (j), seconded by Ms. Hall. A motion was made by Dr. Brenzel to come out of closed session, seconded by Ms. Hall. The committee meeting adjourned at 12:00 p.m.

CALL TO ORDER

Dr. Markham, Chair, called the meeting to order at 1:20 p.m. on July 18, 2013.

MINUTES

The minutes of the June 3, 2013 meeting were called to the attention of the Board. A motion was made by Dr. Miller to approve the minutes. The motion, seconded by Dr. Bittman, carried.

MONTHLY FINANCIAL REPORT & LEGAL FEES

The financial reports ending June 2013 and legal fees for May 2013 were presented to the Board. A motion was made by Dr. Miller to accept the financial statement and legal fees. The motion, seconded by Dr. Brenzel, carried.

O & P REPORT

Ms. Vick updated the Board with May Occupations and Professions monthly report.

LEGAL MATTERS

Board request Brian be placed as a counsel advisor for Case 00-05 due to being Board Counsel.

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – On-going.
- Case 03-12 and 06-05 – On-going.
- Case 10-19 – On-going.
- Case 11-08 – On-going.
- Case 11-16 – On-going.

- Case 11-20- A motion was made by the Complaint Screening Committee to file a formal complaint. The motion, seconded by Dr Elder, carried.
- Case 12-04 – Ms. Hall recused herself from the room during the Complaint Screening Committee and the Board meeting as they discussed the case. A motion was made by the Complaints Screening Committee to adopt recommended order and issue a final order. The motion, seconded by Dr. miller, carried. Dr. Elder abstained.
- Case 12-10 – On-going.
- Case 12-10A – On-going.
- Case 12-12 – On-going
- Case 12-18 – On-going.
- Case 12-22 – On-going.
- Case 13-03 – On-going.
- Case 13-05 – On-going.
- Case 13-06 – A motion was made by Dr. Nichols to go into closed session at 1:45pm to discuss matter of pending case 13-06 per KRS 61.810 (1)(c) and (j), seconded by Dr. Miller. A motion was made by Dr. Nichols to come out of closed session at 2:45pm, seconded by Dr. Miller, motion carried. Guidance was given by the Board for Counsel to agree with restraining order. A motion was made by Dr. Miller to release an official statement for the press that the Board created. The motion, seconded by Dr. Bittman, carried. A motion was made by Dr. Miller for a special request of \$10,000.00 to be allotted for possible litigation. The motion, seconded by Dr. Brenzel, carried.
- 13-07 – On-going.
- 13-07B – On-going.
- 13-08 – On-going.
- 13-09 – A motion was made by the Complaints Screening Committee to file a non-compliant order. The motion, seconded by Dr. Elder, carried.
- 13-13 – On-going.
- 13-13 A – On-going.
- 13-14 – On-going.
- 13-15 – On-going.
- 13-15 A – On-Going.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

COMMITTEE REPORTS

Supervision Committee – Dr. Elder will discuss under Board's new business.

Continuing Education Committee – Dr. Miller discussed approved continuing education applications and the rejected continuing education application submitted by the Cabinet for Family and Health.

Credentials Review Committee – None

Examination Committee – Ms. Hall reported that the June exams went as scheduled and smoothly.

Disciplined Psychologists Reports – Dr. Elder discussed LPA Patrick Brown not completing disciplinary supervision requirement. Dr. Elder recommends that the Board not accept his request to waive incomplete requirement due to retiring. A motion was made by Dr. Elder for the Board to initiate a complaint against Patrick H. Brown. The motion, seconded by Dr. Nichols, carried.

EXPIRED LICENSURE REPORT

There were three expired license for the month of February 2013. A motion was made by Dr. Brenzel to send a certified letter to these licensees advising them that their license has expired and that they must cease practice. The motion, seconded by Dr. Bittman, carried.

OLD BUSINESS

None

NEW BUSINESS

SB 72 – CEU Suicide Requirement – Mr. Judy discussed with the Board the SB 72 continuing education requirement will go into effect January 2015. A motion was made by Dr. Nichols to ask Jane Walrick to attend a future meeting to discuss requirement with the Board. The motion, seconded by Dr. Elder, carried.

LPA Supervision E-mail – Jennifer Sanders – Dr. Elder discussed the e-mail from Ms. Sanders with the Board. Dr. Elder will respond to Ms. Sanders' e-mail.

Complaints Statistics – Dr. Brenzel discussed the complaints statistics research with the Board. She will complete and present to the Board when all data is collected.

Regulation Review:

Appeal Process – A motion was made by Dr. Nichols for the Board to create a process to appeal denied applications and probation revocations. The motion, seconded by Dr. Bittman, carried.

Residency – A motion was made for a requirement of one year residency for masters level applicants. The motion, seconded by Ms. Hall, carried with 4 in favor and 3 opposed.

A motion was made by Dr. Nichols to eliminate all residency requirements from the regulations. The motion, seconded by Dr. Brenzel, carried with 4 in favor, 2 opposed and 1 abstained.

ADJOURNMENT

A motion was made by Dr. Miller to adjourn the meeting at 5:00 p.m. The motion, seconded by Ms. Susman, carried. The meeting will recommence Friday July 19, 2013 at 9:00 a.m.

CALL TO ORDER

Dr. Markham, Chair, called the meeting to order 9:00 a.m. on July 19, 2013.

NEW BUSINESS

Continuation of Residency –

A motion was made by Dr. Bittman for the Board to reconsider the motion to eliminate all residency requirements from the regulations. The motion, seconded by Dr. Miller, carried.

A motion was made by Dr. Bittman to set aside and to vacate both votes in regards to changing residency requirements until further research. The motion, seconded by Dr. Elder, carried with 5 in favor and 2 opposed.

Note that there was no opportunity offered for discussion.

Dr. Bittman and Dr. Elder will work on researching online and in-class room studies.

201KAR 26:290 – Ms. Susman noted that 201KAR 26:290 needs to mirror 201KAR 26:280. Mr. Judy will create the changes to regulations and submit to the Board for review.

KRS 319.071 (1) – This was moved to inquire about regulatory basis by Mr. Judy contacting previous Board Counsel and Dr. Markham contacting Dr. Schuster and reporting back at the August Board meeting to discuss taking further action to reconcile.

201 KAR 26:250 – A motion was made by Dr. Elder for all Licensed Psychologist Associates, Certified Psychologist, and Licensed Psychologist shall receive a letter from Kentucky Board of Examiners of Psychologist directing them to verify all Licensed Psychologist Associates and Certified Psychologist are employed in accordance with 201KAR 26:250 prior to 12/31/2013 and respond with proof of verification with the W2 of Licensed Psychologist Associates or Certified Psychologist indicating employment or W4 indicating enrollment of employment. Motion, seconded by Dr. Nichols, carried.

Dr. Nichols and Dr. Elder will create a form for Request of Change of Supervisor and Initiating Supervision relationship.

Reinstatement - Mr. Judy will create a Reinstatement form for the Board to review.

CONFLICTS

None.

SCHEDULE NEXT MEETING

The next Board meeting will be held on August 12, 2013 at the Office of Occupations and Profession in Frankfort, KY.

TRAVEL AND PER DIEM

A motion was made by Dr. Miller to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting and other board business between meetings. The motion, seconded by Ms. Susman, carried.

ADJOURNMENT

A motion made by Dr. Brenzel to adjourn the meeting at 11:30 a.m. The motion, seconded by Dr. Miller, carried.

Eva Markham, Ed.D. Chair